

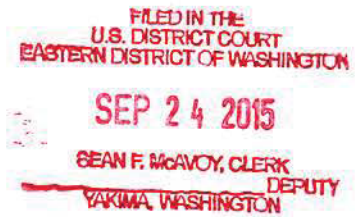
Report Date: September 24, 2015

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision



Name of Offender: Richard Allen Counts

Case Number: 0980 2:07CR02066-LRS-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: January 17, 2008

Original Offense: Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison 100 months; TSR - 48 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: February 13, 2015

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: June 12, 2017

PETITIONING THE COURT

To issue a warrant.

The probation officer believes the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>Standard Condition # 6: The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.</p> <p>Supporting Evidence: Richard Counts III, indicated on September 4, 2015, he was moving to his grandmother's residence due to discord with his girlfriend. On September 22, 2015, this officer and another U.S. Probation officer went to the grandmother's residence and she indicated the defendant is not currently and has not lived at her residence. We also attempted to contact him at his girlfriend's home but received no answer at the door. Currently, it is unclear as to where the defendant is living.</p>
2	<p>Special Condition # 15: You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.</p> <p>Supporting Evidence: Mr. Counts arrived to his treatment group 10 minutes late on September 23, 2015. The provider requested a urine sample and the defendant refused. He was advised his refusal would constitute a positive drug test, and Mr. Counts refused to sign</p>

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the denial as well as an admission of use form. The defendant has been suspended from his group due to his refusal to provide the sample and has a meeting with the provider scheduled for next Tuesday.

- 3 **Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Counts provided a urine sample on August 14, 2015, that was determined to be abnormal. The specimen was sent for further analysis and on August 20, 2015, the sample was determined to be dilute. The defendant provided a urine sample on August 24, 2015, that was determined to be abnormal, but it was not sent to the lab for further analysis. The defendant was directed to come to the probation office the following day and meet with this officer to provide another sample; however, he did not return to the office and chose to call this officer on the phone instead.

As noted in violation number 2, Mr. Counts arrived to his treatment group 10 minutes late on September 23, 2015, as well as refusing to provide a urine sample and sign an admission of use form.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained within this petition.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on: September 24, 2015

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

9/24/15
Date